

REMARKS

A petition to extend the time for response by three (3) months is enclosed herewith.

New claims 23 – 26 have been added. Claims 9 – 26 are currently pending.

Applicant wishes to thank the Examiner for the opportunity to discuss the present application on September 20, 2006. Applicant agreed that the recitation “at least one additional actuation mode” in the claims of the present application would be clarified to support the novelty and non-obviousness of the present invention over the cited reference US Patent No. 6,153,837 to Garcia et al.

In the Office Action, claims 9 – 11, 16, 18, and 19 are rejected under 35 U.S.C. §102(b) as anticipated by US Patent No. 6,153,837 to Garcia et al. Claims 12, 13, 15, 17, 20, and 21 are rejected under 35 U.S.C. §103(a) over US Patent No. 6,153,837 to Garcia et al in view of US Patent No. 4,691,659 to Ito et al or US Patent No. 3,639,705 to Rayner. Claims 14 and 22 are rejected under 35 U.S.C. §103(a) over US Patent No. 6,153,837 to Garcia et al in view of US Patent No. 6,433,777 to Sawyer.

US Patent No. 6,153,837 to Garcia et al discloses a control knob 13 movable along an axis 17 and the control knob 13 can be turned into one of four selection positions 19.

It is respectfully submitted that Garcia et al '837 fails to teach or disclose the feature of a sensor unit associated with an actuation element for sensing a plurality of actuation modes and an additional actuation mode of the actuation element, as recited in claim 9 of the present application. In the arrangement disclosed in Garcia et al '837, the control knob 13 can be turned to activate an actuation mode and a microswitch 45 evaluates the turning movement of the control knob 13 to determine the selected actuation mode. However, the sensor unit of Garcia et al '837 comprising the microswitches 45 is not operable to sense an additional actuation mode such as, for example, an additional actuation mode to trigger a parboil surge of a selected cooking location. Instead, the control knob 13 of Garcia et al '837 is repeatedly tilted in the same movement path to incrementally increase the temperature of the selected cooking location (see, for example, Column 5, lines 25 – 31, of Garcia et al '837).

It is also respectfully submitted that none of the other cited references US Patent No. 4,691,659 to Ito et al, US Patent No. 3,639,705 to Rayner, or US Patent No. 6,433,777 to Sawyer overcome the deficiencies of Garcia et al '837. Accordingly, it is submitted that claim 9 of the present application, and claims 10 – 15 depending ultimately therefrom, patentably define over the prior art of record and are allowable. Additionally, it is submitted that claim 16 of the present application, and claims 17 - 22 depending ultimately therefrom, patentably define over the prior art of record for the same reasons as discussed hereinabove with respect to claim 9 and are allowable.

A new independent claim 23 and new claims 24 - 26 depending therefrom have been submitted herewith. It is respectfully submitted that these new claims patentably define over the prior art of record.

In view of the above, entry of the present Amendment and allowance of Claims 9 - 26 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned.

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Respectfully submitted

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